

PTO/SB/64 (08-03) #8

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
CRD 99333

First named inventor: Michael E. Ring, et al.

Application No.: 09/664,190

Art Unit: 3613

Filed: September 15, 2000

Examiner: TBA

Title: PUSH BUTTON TWO SIDE OPERATION  
HAND BRAKE RELEASE

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

**RECEIVED**  
MAR 02 2005  
OFFICE OF PETITIONSNOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of a copy of response to missing parts (identify type of reply):☐ has been filed previously on \_\_\_\_\_☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

☐ has been paid previously on \_\_\_\_\_☐ is enclosed herewith.

09/01/2003 CORNELL 00000037 05564130

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[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

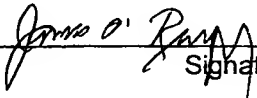
**3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

**4. STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

February 23, 2005  
Date

  
Signature

Telephone  
Number: 412-380-0725

James O. Ray, Jr.  
Typed or printed name

2640 Pitcairn Road  
Address

Enclosures: ☒ Fee Payment

Monroeville, Pa 15146  
Address

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

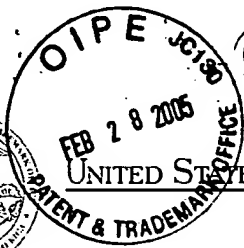
☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

February 23, 2005  
Date

  
Signature

Nancy Farabaugh  
Type or printed name of person signing certificate



COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/664,190	09/18/2000	Michael E. Ring	CDR 99333

James Ray & Associates  
2640 Pitcairn Road  
Monroeville, PA 15146

CONFIRMATION NO. 3911

ABANDONMENT/TERMINATION

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\*OC000000008799177\*

OFFICE OF PETITIONS

Date Mailed: 09/17/2002

### NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 11/01/2000.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



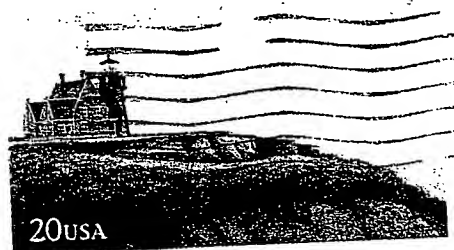
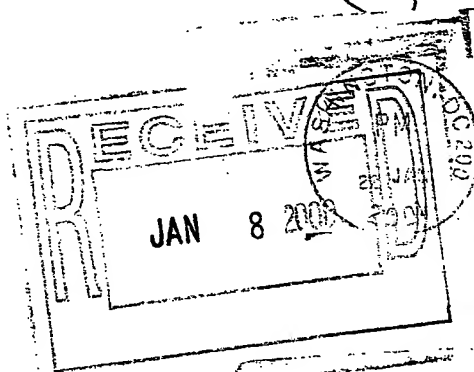
I HEREBY CERTIFY THAT THIS CORRESPONDENCE  
IS BEING DEPOSITED WITH THE UNITED STATES  
POSTAL SERVICE AS FIRST CLASS MAIL IN AN  
ENVELOPE ADDRESSED TO:

COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

ON

*January 5, 2001*  
*Suzette Alberty*

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OFFICE OF PETITIONS



JAMES RAY & ASSOCIATES  
2640 PITCAIRN ROAD  
MONROEVILLE, PA 15146

514643303



F: CRD 99333

JOR:sf

The date stamp of the Patent Office on this card will be taken as an indication that a Response to Missing Parts, Declaration, (including Deposit Acct. No. to charge the sum of \$130.00 to cover the Surcharge Fee), a duplicate copy of such letter and a copy of the Notice to File Missing Parts were received.

No.: CRD 99333

Date: January 5, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/664,190	09/18/2000	Michael E. Ring	CDR 99333

James Ray & Associates  
2640 Pitcairn Road  
Monroeville, PA 15146

## FORMALITIES LETTER



\*OC000000005522677\*

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Date Mailed: 11/01/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Group Art Unit: TBA  
Michael E. Ring et al. ) Examiner: TBA  
Filed: September 15, 2000 ) Attorney Docket: CRD 99333  
Serial No.: 09/664,190 )  
For: PUSH BUTTON TWO SIDE OPERATION ) Date: January 5, 2001  
HAND BRAKE RELEASE )

**RECEIVED**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

MAR 02 2005

OFFICE OF PETITIONS

ATTN: BOX MISSING PART

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

Applicants are in receipt of a Notice to File Missing Parts of Application mailed from the U.S. Patent and Trademark Office on November 1, 2000 with respect to the above-referenced patent application.

Enclosed, herewith, is a Declaration executed by the inventor(s) on January 2, 2001 and January 3, 2001 and a copy of the Notice to File Missing Parts of Application.

Also, enclosed is a copy of the Authorization letter that was sent to the Patent Office giving James O. Ray, Jr. the authority to use the Deposit Account for Westinghouse Air Brake Company.

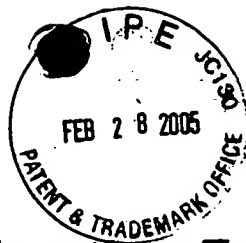
Therefore, please Charge Account No. 231300 the sum of \$130.00 for payment of the Issue Fee.

Respectfully submitted,

By James O. Ray, Jr.  
James O. Ray, Jr.  
Agent for Applicant(s)  
Registration No. 27,666

JAMES RAY & ASSOCIATES  
2640 PITCAIRN ROAD  
MONROEVILLE, PA 15146

TELEPHONE: 412-380-0725  
FACSIMILE: 412-380-0748



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# Declaration For U.S. Patent Application

(PTO/SW1)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PUSH BUTON TWO SIDE OPERATION HAND BRAKE RELEASE**

the specification of which (Check one of blocks 1, 2 or 3)

1. ☐ is attached hereto
2. ☐ was filed on \_\_\_\_\_ as International PCT Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)
3. ☒ was filed on September 15, 2000 as U.S. Application Serial No. 09/664 190 and was amended on \_\_\_\_\_ (if applicable)

hereby state that I have reviewed and understood the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above

acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56

hereby claim foreign priority benefits (under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

## List of Prior Foreign Applications (if applicable)

CERTIFIED COPY ATTACHED?

_____ (Application Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

☐ Additional foreign application numbers are listed on the attached sheet, PTO/SF/02B - Supplemental Priority Data Sheet or similar sheet.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

## List of U.S. Provisional Applications (if applicable)

_____ (Application Number)	_____ (Day/Month/Year Filed)
_____ (Application Number)	_____ (Day/Month/Year Filed)

☐ Additional provisional application numbers are listed on the attached sheet, PTO/SF/02B - Supplemental Priority Data Sheet or similar sheet

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application

## List of U.S. Parent Application Or PCT Parent Numbers (if applicable)

_____ (Number)	_____ (Day/Month/Year Filed)	_____ (Status: Abandoned; Pending; Patent Number, if applicable)
_____ (Number)	_____ (Day/Month/Year Filed)	_____ (Status: Abandoned; Pending; Patent Number, if applicable)
_____ (Number)	_____ (Day/Month/Year Filed)	_____ (Status: Abandoned; Pending; Patent Number, if applicable)

☐ Additional U.S. or PCT international application numbers are listed on the attached sheet, PTO/SF/02B - Supplemental Priority Data Sheet or similar sheet

And I hereby appoint as principal attorneys and agents, James O. Ray, Jr., Reg. No. 27,666; Forest C. Sexton, Reg. No. 22,054; Edmond S. Miksch, Reg. No. 38,558; James R. Stevenson, Reg. No. 38,755; John B. Sotak, Reg. No. 20,529; Gary J. Falce, Reg. No. 29,304; Elroy Strickland Reg. No. 22,546; Amos Bartoli, Reg. No. 42,299; Michele K. Yoder, Reg. No. 41,562 and Robert A. Shack, Reg. No. 29,976.

Please direct all correspondence to the following address:

JAMES RAY & ASSOCIATES  
2640 PITCAIRN ROAD  
MONROEVILLE, PA 15146

TELEPHONE: 412-380-0725  
FACSIMILE: 412-380-0748

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 of Title and that such willful false statements may jeopardize the validity of the application or any patent issue thereon.

Full Name of Sole or First Inventor: MICHAEL E. RING

Inventor's signature: Michael E. Ring

Date: 1/2/01

Residence: 8640 Fairbanks Street, Crown Point, IN 46307  
(Street, City, State, Zip Code, Country)

Citizenship: UNITED STATES OF AMERICA

Post Office Address: 8640 Fairbanks Street, Crown Point, IN 46307

Full Name of Second Inventor: RONALD HENRY

Inventor's signature: Ronald Henry

Date: 1/03/01

Residence: 500 Decatur Drive, Salem, VA 24153  
(Street, City, State, Zip Code, Country)

Citizenship: UNITED STATES OF AMERICA

Post Office Address: 500 Decatur Drive, Salem, VA 24153

Full Name of Third Inventor: \_\_\_\_\_

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: \_\_\_\_\_  
(Street, City, State, Zip Code, Country)

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of Fourth Inventor: \_\_\_\_\_

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: \_\_\_\_\_  
(Street, City, State, Zip Code, Country)

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

[ ] Additional inventors are listed on the attached sheet PTO/SIR/02A Supplemental Additional Inventor(s) Sheet or similar sheet.